

Assembly Bill No. 331

Passed the Assembly June 3, 2003

Chief Clerk of the Assembly

Passed the Senate September 4, 2003

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2003, at _____ o'clock __M.

Private Secretary of the Governor

Corrected 9-16-03

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CHAPTER _____

An act to amend Section 1253 of the Unemployment Insurance Code, relating to unemployment insurance.

LEGISLATIVE COUNSEL'S DIGEST

AB 331, Kehoe. Unemployment benefits: waiting period.

Existing law provides for the payment of unemployment compensation benefits during the period that a person is unemployed, provided the person has been unemployed for a period of one week. Existing law provides that this waiting period may be waived during a state of war emergency or state of emergency.

This bill would waive the one-week waiting period for any individual who is unemployed due to a lockout related to a labor dispute.

The people of the State of California do enact as follows:

SECTION 1. Section 1253 of the Unemployment Insurance Code is amended to read:

1253. An unemployed individual is eligible to receive unemployment compensation benefits with respect to any week only if the director finds that:

(a) A claim for benefits with respect to that week has been made in accordance with authorized regulations.

(b) The individual has registered for work, and thereafter continued to report, at a public employment office or any other place as the director may approve. Either or both of the requirements of this subdivision may be waived or altered by authorized regulation regarding partially employed individuals attached to regular jobs.

(c) The individual was able to work and was available for work for that week.

(d) The individual has been unemployed for a waiting period of one week as defined in Section 1254. This requirement does not apply if either of the following occur:

(1) The waiting period has been waived pursuant to Section 8571 of the Government Code.



(2) The unemployment is due to a lockout, as defined in Section 1132.8 of the Labor Code.

(e) The individual conducted a search for suitable work in accordance with specific and reasonable instructions of a public employment office.

(f) The individual participated as required by the director in reemployment activities, such as orientation and assessment, if the individual has been identified pursuant to an automated profiling system as likely to exhaust regular unemployment benefits, unless the individual has shown good cause for failure to participate.



Approved _____, 2003

Governor

